

Regular Session, 2009

HOUSE BILL NO. 175

BY REPRESENTATIVE HUTTER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

INSURANCE/HEALTH: Provides relative to coverage of off-label cancer drugs

1 AN ACT

2 To amend and reenact R.S. 22:999(A)(2), relative to health insurance; to provide with
3 respect to coverage of off-label cancer drugs; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 22:999(A)(2) is hereby amended and reenacted to read as follows:

6 §999. Coverage for use of drugs in treatment of cancer

7 A. As used in this Section, the following terms shall have the following
8 meanings:

9 * * *

10 (2) "Standard reference compendia" means ~~the United States Pharmacopeia~~
11 ~~Drug Information, or the American Hospital Formulary Service Drug Information.~~
12 authoritative compendia as identified by the secretary of the United States
13 Department of Health and Human Services.

14 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Hutter

HB No. 175

Abstract: Redefines "standard reference compendia" for purposes of specifying which off-label cancer drugs shall not be excluded from coverage by health insurance policies which cover the treatment of cancer.

Present law provides that every hospital, health, or medical expense insurance policy, contract, or plan, including coverage by a health maintenance organization or preferred provider organization, which covers the treatment of cancer in this state shall not exclude coverage of any drug prescribed for the treatment of cancer on the ground that the drug is not approved by the U.S. Food and Drug Administration for a particular indication if that drug is recognized for treatment of the covered indication in a standard reference compendia or in substantially accepted peer-reviewed medical literature.

Present law defines "standard reference compendia" as the U.S. Pharmacopeia Drug Information or the American Hospital Formulary Service Drug Information.

Proposed law defines "standard reference compendia" as authoritative compendia as identified by the secretary of the U.S. Department of Health and Human Services.

Present law retains a number of exceptions, including exempting individually underwritten, guaranteed renewable limited benefit, or supplemental health insurance policies.

(Amends R.S. 22:999(A)(2))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Insurance to the original bill.

1. Deletes specific authoritative compendia, including the American Hospital Formulary Service Drug Information, the National Comprehensive Cancer Network's Drugs and Biologics Compendium, Thompson Micromedex's Drug Dex, and Elsevier Gold Standard Clinical Pharmacology, from the definition of "standard reference compendia".